



CONNECTICUT  
**TRIAL  
LAWYERS**  
ASSOCIATION

*Rosemarie Paine, President*

150 Trumbull Street, 2<sup>nd</sup> Floor  
Hartford, CT 06103  
p) 860.522.4345 f) 860.522.1027  
[www.cttriallawyers.org](http://www.cttriallawyers.org)

Raised Bills 416, 5598  
Public Hearing: 3-11-16

TO: MEMBERS OF THE JUDICIARY COMMITTEE  
FROM: CONNECTICUT TRIAL LAWYERS ASSOCIATION (CTLA)  
DATE: MARCH 11, 2016

RE: **TESTIMONY ON:  
416 AA VALIDATING CERTAIN STIPULATIONS TO EXTENSIONS OF TIME FOR  
THE CLAIMS COMMISSIONER TO DISPOSE OF CASES and  
5598 AA VALIDATING THE DISPOSITION OF CERTAIN CLAIMS BY THE CLAIMS  
COMMISSIONER**

CTLA supports the concepts raised in bills 416 and 5598. We strongly encourage the Judiciary Committee to adopt legislation eliminating the defect in cases where a waiver of the two year time limit was signed after the two years had already passed, and all other procedural defects that have arisen out of the operation of the Claims Commission over the last several years. We are also aware that attorneys and claimants affected by the current situation with the Claims Commission (including various members of our organization) have or will testify here. Some of them have submitted written testimony in support of their individual requests for relief. We support their efforts—including their requests for individual relief on behalf of the claimants they represent-- and ask that you look favorably on their requests.

We respectfully submit the following comments regarding the recent delays and overall functioning of the Claims Commission.

The Claims Commission is Connecticut's oversight agency with the important task of hearing our citizen's complaints, and determining when it is just and equitable to allow the State to be sued. The Claims Commission is often described as the "Conscience of the State." This assembly is the only oversight for the Claims Commission. In essence, you are the compass of our conscience. The changes we suggest are designed to put the Claims Commission back on course, to accelerate the protracted process of administering these claims, to provide transparency for claimants, the respondent, their counsel and the general public, and provide you with critical information necessary to ensure the Claims Commission remains focused on its mission and improves its functioning.

The backlog of cases pending in the Claims Commission include many cases that have been pending four years or more, and some that are five years and older. Most involve serious injury or death. In these cases, the remedy sought from the Claims Commission is the authorization of a lawsuit. The current delay in the Claims Commission causes harm in many ways, both to the claimant and to the State: First, it delays a timely resolution of the case, "justice delayed is justice denied."